XI-HC-78

22/11/07

(27)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

HIGH COURT OF CHHATTISGARH AT BILASPUR

Cr. M.P. No 526 of 2007

[Single Bench; Hon'ble Mr. Justice Dhirendra Mishra]

PETITIONERS

1. Basudeo, S/o. Shri Panchu Gond, aged about 29 years.
2. Smt. Ganpati, W/o Basudeo Gond, aged about 27 years.
3. Abhimanyu S/o. Basudeo Gond, aged about 4 years.

Petitioner No.3 is Minor through Natural Guardian Father Basudeo S/o. Shri Panchu Gond, aged about 29 years r./o. Village-Rohina, Police Station-Saraipali, Distt.-Mahasamund (C.G.)

Vs.

RESPONDENT : Noni Bai, D/o Bhanwar Singh, aged 27 years by Caste Gond r/o. Village-Dularpali, Thana & Tahsil-Saraipali,Distt.Mahasamund (C.G.)

21/11/2007

Shri Sunil Sahu, counsel for the petitioners.

Being aggrieved by the order dated 6.10.2007 passed in Criminal Revision No. 42/07 by learned First Additional

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

28

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश 2	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Sessions Judge, Mahasamund whereby the revision preferred by the petitioners has been dismissed against the order of Sub Divisional Magistrate passed under Sections 97 & 98 of the Cr.P.C. in relation to custody of the minor child, who is now aged about 4 years, to the respondent, this petition under Section 482 of the Cr.P.C. has been filed.

I have heard learned counsel for the petitioners.

After going through the orders passed by both the Courts below and after considering the fact that custody of the child, aged about 4 years, is handed over to the mother while exercising powers under Sections 97 & 98 of the Cr.P.C., no interference is called for in exercise of jurisdiction under Section 482 of the Cr.P.C. Accordingly, the instant petition being devoid of substance is liable to be dismissed at the admission stage itself and is hereby dismissed.

Sd/-
Dhirendra Mishra
Judge